

h



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,773	12/02/2003	Yinjun Zhu	20-526	1919
7590 09/09/2005 MANELLI DENISON & SELTER PLLC 7th Floor 2000 M Street, N.W. Washington, DC 20036-3307			EXAMINER STEIN, JULIE E	
			ART UNIT 2685	PAPER NUMBER

DATE MAILED: 09/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/724,773	ZHU, YINJUN	
	Examiner	Art Unit	
	Julie E. Stein, Esq.	2685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. Figures 1 and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

1. The disclosure is objected to because of the following informalities: On page 12, line 29, Fig. 4 should be Fig. 5.
2. In the Brief Description of the Drawings, it appears to the Examiner that based on the description in the specification, Figures 1 and 2 should be labeled as Prior Art, as it appears that the network layouts shown are known in the art.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,219,557 to Havinis in view of U.S. Patent Application No. 2003/0072318 to Lam et al.

Havinis teaches all the steps/elements of independent claims 1 and 6, including a method and apparatus for providing a User Plan location based service to a roaming wireless device (abstract), comprising: (means for) establishing a roaming interface between a home LCS manager of a home wireless carrier network (Figure 4, GMLC, element 290) and a visited LCS manager of a currently visited wireless carrier network (Figure 4, MLC, element 270); (means for) directing IP connectivity over the Internet (column 2, lines 3 to 4, describing a data call, which is through an internet connection); and (means for) providing a message tunneling mechanism to provide an uninterrupted communication path between a location service system and a wireless device being located (column 5, lines 7 to 54).

Havinis does not explicitly teach (means for) directing IP connectivity over the Internet capable of being transmitted through a firewall in said home wireless carrier network and through a firewall in said visited wireless carrier network. However, Lam teaches that firewalls are well known in the art, are used as filtering devices to protect networks from unauthorized access, and may be placed in various locations within networks. See paragraph 24. In addition, Lam teaches that it is well known to use firewalls between home carrier networks and visited carrier networks, as shown for example in Figure 1, in which a firewall is shown in use with a SGSN and a GGSN.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify Havinis to include firewalls between the home and visitor carrier networks in order to protect each network from unauthorized access as taught by Lam. See paragraph 24.

Havinis in view of Lam teaches all the steps/elements of claims 2-5 and 7-10, including the roaming wireless device being a mobile telephone, a PDA, a wireless email device, or a wireless device including a camera. See Havinis, column 1, lines 38 to 43, and Lam, paragraph 16.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent Application Nos. 2004/0098497 to Banet et al. teaches a system including GMLC functionality interacting via a Le interface; and 2003/0115328 to Salminen et al. teaches a system including a SGSN, a firewall, and a GGSN; and U.S. Patents Nos. 6,571,095 to Koodli teaches a system including SGSNs, firewalls, and GGSNs; 6,104,931 to Havinis et al teaches another version of a location system including a home system and a visitor system including a GMLC; and 6,061,346 to Nordman teaches a system including a GGSN and a SGSN.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie E. Stein, Esq. whose telephone number is (571) 272-7897. The examiner can normally be reached on M-F (8:30 am-5:00 pm).

Art Unit: 2685

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JES

Nguyen Vo
8-31-2005

NGUYENT.VO
PRIMARY EXAMINER